

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

TOWN OF MONSON

SPECIAL TOWN WARRANT

To any of the Constables of the Town of Monson in said county:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn all the inhabitants of the Town of Monson qualified to vote in Elections and Town affairs to meet in the Granite Valley Middle School on Thompson Street on Monday, November 4, 2013, A.D. at 7:00 p.m. to act upon the following articles:

Article 1:

To see if the Town will vote to raise and appropriate and/or transfer and appropriate a sum of money from available funds to the Debt Service for Ambulance Purchase Account, or take any other action relative thereto.

Recommendation:

Finance Committee Recommends, and I Move the Town Vote (F.C.R.I.M.T.V.) to raise and appropriate \$3,171.00 to the Debt Service for Ambulance Purchase Account.

Article 2:

To see if the Town will vote to raise and appropriate and/or transfer and appropriate a sum of money from available funds to the Fiscal Year 2014 Police Department Salary Account, or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to raise and appropriate \$31,200.00 to the 2014 Police Department Salary Account.

Article 3:

To see if the Town will vote to raise and appropriate and/or transfer and appropriate a sum of money from available funds to the Fiscal Year 2014 Ambulance Salary and Wages Account, or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to pass over this article.

Article 4:

To see if the Town will vote to raise & appropriate and/or transfer and appropriate a sum of money to the Fiscal Year 2014 Building Inspector's Salary Account, or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to raise and appropriate \$6,160.00 to the 2014 Building Inspector's Salary Account.

Article 5:

To see if the Town will vote to raise and appropriate and/or transfer and appropriate a sum of money from available funds to the Fiscal Year 2014 Legal Department Account, or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to transfer and appropriate \$18,650.00 from the Legal Department Encumbered Account to the 2014 Legal Department Account.

Article 6:

To see if the Town will vote to raise and appropriate and/or transfer and appropriate a sum of money from available funds to the Telephone Contract Consultant Account, or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to raise and appropriate \$10,000.00 to the Telephone Contract Consultant Account.

Article 7:

To see if the Town will vote to raise and appropriate and/or transfer and appropriate a sum of money from available funds to the Fiscal 2014 Cemetery Expense Account, or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to raise and appropriate \$1,200.00 to the 2014 Cemetery Expense Account.

Article 8:

To see if the Town will vote to raise and appropriate and/or transfer and appropriate a sum of money from available funds to the Fiscal Year 2014 Selectmen's Salary Account, or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to raise and appropriate \$24,000.00 to the 2014 Selectmen's Salary Account.

Article 9:

To see if the Town will vote to raise and appropriate and/or transfer and appropriate a sum of money to the Other Post Employment Benefits (OPEB) Trust Fund, or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to raise and appropriate \$12,695.27 to the Other Post Employment Benefits Trust Fund.

Article 10:

To see if the Town will vote to raise and appropriate and/or transfer and appropriate a sum of money to the Fiscal 2014 Capital Account, or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to raise and appropriate \$15,000.00 to the 2014 Capital Account.

Article 11:

To see if the Town will vote to raise and appropriate and/or transfer and appropriate a sum of money to a Salary and Classification Plan Account to pay for a Salary and Classification Plan, or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to reject this article.

Article 12:

To see if the Town will vote to raise and appropriate and/or transfer and appropriate a sum of money from available funds to pay bills of prior years, or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to raise and appropriate \$2,300.00 to the Bills of Prior Years Account.

Article 13:

To see if the Town will vote to raise and appropriate and/or transfer and appropriate a sum of money from available funds to the Highway Department Downtown Streets Account, or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to table until more information is received.

Article 14:

To see if the Town will vote to raise and appropriate and/or transfer and appropriate a sum of money with which to hire consultants to assist the town in identifying impacts on the town from the proposed construction of a gaming facility in the town of Palmer in order to provide the town with necessary information to negotiate a Surrounding Community Agreement pursuant to M.G.L. Chapter 23K of the Massachusetts General Laws Amended through Chapter 96 of the Acts of 2012, or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to pass over this article.

Article 15:

To see if the Town will vote to rescind the remaining five thousand one hundred forty six dollars (\$5,146.00) for the purchase and equipping of an ambulance authorized by its approval of Article 20 of the Annual Town Meeting held May 9, 2011, or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to rescind the remaining \$5,146.00 of debt authorized to borrow by its approval of Article 20 of the Annual Town Meeting held May 9, 2011 (for purchase & equipping of an ambulance).

Article 16:

To see if the Town will vote to rescind the remaining debt of seventy five thousand two hundred thirty three dollars (\$75,233.00) for comprehensive water system improvements in conjunction with the Massachusetts Drinking Water State Revolving Fund authorized by its approval of Article 17 of the Special Town Meeting held on May 14, 2007, or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to rescind the remaining \$75,233.00 of debt authorized to borrow by its approval of Article 17 of the Special Town Meeting held on May 14, 2007(for comprehensive water system improvements described above).

Article 17:

To see if the Town will vote to rescind an appropriation of up to One Hundred and Seventy One Thousand and Two Hundred and Fifty Dollars (\$171,250.00) to repair, restore and preserve windows of Memorial Hall located at 198 Main Street. Said funds were appropriated by Article # 20 of the May 13, 2013 Monson Annual Town Meeting to repair, restore and preserve the south-west turret windows, the west facing windows (front of building) and the front double doors and archway above the door of Memorial Hall and for the installation of storm windows on the east and north side of Memorial Hall to prevent further deterioration. The building has been

closed due to safety and code violations and the CPC seeks the appropriation to be rescinded in order to make funds available for other repairs, or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to rescind approval of Article 20 of Annual Town Meeting held on May 13, 2013(\$33,500.00 Historical Preservation and \$137,750.00 CPA Undesignated Fund Balance for a total of \$171,250.00) for purposes described above.

Article 18:

To see if the Town will vote to appropriate a sum of up to One Hundred and Seventy One Thousand and Two Hundred and Fifty Dollars (\$171,250.00) to complete the safety and code updates as described in a survey completed by Lawrence Tuttle, Architect, AIA, of Architectural Insights dated August 1, 2013 and in an Electrical Site Survey Report completed by Shepherd Engineering, Inc. dated September 11, 2013 of Memorial Hall. Recommendations include but are not limited to installation of pull alarms on the main floor in case of fire, removal of the MPACT studios in the basement and an upgrade of the electrical system. Once said code and safety repairs are completed, the Monson Historic Commission will begin work to rehabilitate, restore and preserve the southwest turret windows, the west facing windows (front of building) and the front double doors and archway above the door with any remaining funds. This money will also fund installation of storm windows on the east and north side to prevent further deterioration. One Hundred Thirty Seven Thousand, Seven Hundred and Fifty Dollars (\$137,750.00) shall be transferred from the Undesignated Account and Thirty Three Thousand and Five Hundred dollars (\$33,500.00) shall be transferred from the FY '13 Historical Preservation fund for said rehabilitation, restoration, and stabilization under the Community Preservation Program pursuant to Massachusetts General Laws, Chapter 44B or any other enabling authority. Said funds to be expended under the administration of the Monson Community Preservation Committee, or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to transfer and appropriate \$ 33,500 from the CPA Fund Balance Reserved for Historic Preservation Account and transfer and appropriate \$ 137,750 from the CPA Fund Undesignated Account (a total of \$ 171,250) for the purpose of completing safety and code updates to Memorial Hall as described above; and to rehabilitate and restore windows and doors as described above.

Article 19:

To see if the town will vote to appropriate a sum of up to Twenty Six Thousand, Three Hundred and Sixty Nine Dollars (\$26,369.00) install an irrigation system and drinking water access to a fountain and a bottle filling station at the Constantino Field Varsity Baseball Complex. Said funds shall be transferred from the Open Space Reserve fund of the Monson Community Preservation Fund for the rehabilitation and improvement of recreational facilities pursuant to Massachusetts General Laws, Chapter 44B or any other enabling authority. Said funds to be expended under the administration of the Monson Parks and Recreation Department and the Monson Community Preservation Committee, or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to transfer and appropriate \$26,369.00 from the CPA Undesignated Account for the purpose of installing an irrigation system and drinking water access to Constantino Field Varsity Baseball Complex as described above.

Article 20:

To see if the Town will vote to accept the provisions of M.G.L. Chapter 48, §42 providing for the establishment of a fire department under the control of an officer to be known as the Chief of the Fire Department, or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to accept the provisions of M.G.L. Chapter 48, Section 42 providing for the establishment of a fire department under the control of an officer to be known as the Chief of the Fire Department.

Article 21:

To see if the Town will vote to add to the Monson Zoning Bylaws, in Section 1.7, Definitions, for “Medical Marijuana Treatment Center” as follows:

MEDICAL MARIJUANA TREATMENT CENTER – Any medical marijuana treatment center, as defined under state law as a Massachusetts not-for-profit entity that acquires, cultivates, possesses, processes(including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies or educational materials to qualifying patients or their personal caregivers, which is properly licensed and registered by the Massachusetts Department of Public Health pursuant to all applicable state laws and regulations.

And to further see if the Town will amend Table 1 Town of Monson Schedule of Use regulations by adding a new use under business uses, Medical Marijuana Treatment Center, not allowing the use in any district and by adding a reference to such use (new language in **bold***):

***It is the intent of the Planning Board to submit to Town Meeting an amendment to this use category at or before the 2014 Annual Town Meeting in order to regulate or restrict this use in accordance with the State regulations. The restrictions on use contained herein are effective only until such amendments, until June 30, 2014. Temporarily restricting this use will allow the Town to review the regulations governing these facilities that will be promulgated by the Massachusetts Department of Public Health and allow the Town to enact zoning provisions, consistent with the State regulations, setting forth the allowed locations, dimensional, parking and other requirements applicable to medical marijuana treatment centers.**

Or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to add to the Monson Zoning Bylaws in Section 1.7, Definitions, for "Medical Marijuana Treatment Center" as described above and to further see if the Town will amend Table 1 Town of Monson Schedule of Use regulations by adding a new use under business uses, Medical Marijuana Treatment Center as described above.

Article 22:

To see if the Town will vote to approve a new General Bylaw as follows:

ARTICLE 30-SECONDHAND ARTICLES, PAWN SHOP, DEALERS AND COLLECTORS**Section 1-LICENSE REQUIRED**

All dealers in and keepers of shops for the purchase, sale or barter of junk, old or precious metals or secondhand articles in this Town shall be licensed by the Selectmen. The fee for such license shall be established by the Board of Selectmen. For the purpose of this by-law, the term "precious metals" shall include any precious metal such as gold, silver or platinum without regard to the form or amount.

Section 2-GENERAL RULES AND REGULATIONS

A). Every licensed dealer of a shop for the purchase, sale or barter of junk, old or precious metals or secondhand articles within this Town shall keep a book in which shall be written at the time of every purchase of any such article a description thereof and the name, age and residence of the person from whom and the day and hour when such purchase was made, and such book shall at all times be open to the inspection of the Selectmen, or any person by them authorized to make such inspection, and every licensed dealer of such shop shall put in some suitable and conspicuous place on his or her shop a sign having his or her name and occupation legibly inscribed thereon in large letters.

B). Such shop and all articles of precious metals therein may at all times be examined by the Selectmen, or their designee, to make such examination and no precious metals purchased or received by such licensed dealer shall be sold or altered or removed from premises until a period of at least thirty days has elapsed from the date of its purchase or receipt.

C). All licensed dealers shall produce a receipt identifying the business name, address, and license number. It shall contain an accurate and detailed description of all items including but not limited to: all distinguishing marks, model names or numbers, serial numbers, etchings or engravings. Jewelry items shall include a complete description including the material, ring size, weight, chain length, shapes, karat weight and color.

D). All licensed dealers shall refrain from paying cash for precious metals and articles purchased that will be liquidated, melted down, or resold. The preferred method of payment should be a business check which can be traced back to the recipient.

Section 3. All junk collectors, jewelers, pawnbrokers, secondhand dealers and auctioneers, who collect, by purchase or otherwise, junk, jewelry, old metals or secondhand articles from place to place in this Town shall be licensed by the Selectmen.

Section 4. Whoever violates this section shall be liable to a penalty of \$50.00-\$100.00 for each offense.

Section 5. For all jewelry and precious metal transactions, the licensed dealer shall obtain a government issued identification, make a color copy of, and record the full name, address, date of birth, and who shall be required to sign documentation avowing to the accuracy of the information listed, and ownership of said items being sold.

Section 6.

No person shall purchase or receive by way of barter or exchange any article of a minor (a child under the age of 17) unless the minor is accompanied by a parent or guardian. In such case, the name, date of birth, and address of both minor and parent or guardian shall be recorded and the identification of the parent or guardian will be kept on file.

Or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to defer to the Bylaw Committee for a recommendation.

Article 23:

To see if the Town will vote to modify its General Bylaws, Article 2, Finance Committee, as follows:

ARTICLE 2 – FINANCE COMMITTEE:

Section 1. There shall be a Finance Committee consisting of up to 13 legal voters of the Town who shall be appointed by the Chairman of the Board of Selectmen, the Chairman of the Finance Committee and the Moderator, or thereafter be known as the Appointing Authority as hereinafter provided. No elected Town Officer or paid regular employee shall be eligible for appointment to the Finance Committee. An appointed Town Officer Committee Member shall be eligible for appointment to the Finance Committee with the following restrictions:

1. Only one member of ~~each~~ any of the appointed committees of the Town may serve on the Finance Committee at any given time.
2. In any year in which the proposed budget or recommendation of the appointed member's Committee exceeds \$10,000, any representative of such committee must relinquish the Finance Committee appointment for the remainder of that year.

No restriction as described in this by-law shall apply to Finance Committee members serving on the Long-Range Capital Planning Committee. Finance Committee members shall in no way be prohibited from serving as members on the Long-Range Capital Planning Committee.

Section 2. The ~~Moderator of the Town Meeting~~ Appointing Authority when this by-law is adopted shall, within thirty days after such by-law becomes effective, ~~re-~~appoint five members of said committee for the term of one year, four members for terms of two years, and four members for terms of three years. The appointments shall occur at a posted Finance Committee or Board of Selectmen meeting. At each ~~annual~~ Annual Town meeting thereafter the ~~Moderator~~ Appointing Authority thereof shall appoint members of said committee for terms of three years. The terms of office of said members shall commence immediately upon ~~qualification~~ appointment and shall expire at the close of final adjournment of the Annual Town meeting at which their successors are appointed. Said committee shall choose its

own officers and shall ~~serve~~service without pay (excepting, however, the secretary thereof-). Said ~~committee~~Finance Committee shall cause to be kept a true record of its proceedings.

Section 3. The said ~~committee~~Appointing Authority shall fill any mid-term vacancy which may occur in its membership by vote, attested copy of which shall be sent by the secretary to the Town Clerk. If any member is absent from five consecutive meetings of said committee, except in cases of illness, his position shall be deemed to be vacant and shall be filled ~~as~~ herein provided. The term of office of any person so chosen to fill a vacancy shall expire at the final adjournment of the next succeeding ~~annual~~Annual Town meeting, and the ~~Moderator~~Appointing Authority thereof shall appoint ~~his~~a successor to complete the unexpired term of the member in whose office such vacancy originally occurred.

Section 4. It shall be the duty of the Finance Committee annually to consider the expenditures in previous years and the estimated requirements for the ensuing year of the several boards, officers and committees of the Town, as prepared by them (or by the Town Accountant) in such form and detail as may be prescribed by said committee. The said committee shall add to such statement of expenditures and estimates another column, giving the amounts which in its opinion shall be appropriated for the ensuing year, and shall further add thereto such explanations and suggestions relating to the proposed appropriations as it may deem expedient.

Section 5. It shall be the duty of the Finance Committee to make an annual report of its doings, with recommendations relative to financial matters and the conduct of Town business, to be contained in the Annual Town Report.

Or take any other action relative thereto.

Recommendation:

F.C.R.I.M.T.V. to pass over this article.

Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at the time and place of said meeting.

Given under our hands this 18 th day of October, 2013.

Edward M. Maia, Chairman

Edward S. Harrison

Richard M. Smith

MONSON BOARD OF SELECTMEN

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

Pursuant to the within Warrant, I have notified and warned the legal voters of the Town of Monson by posting an attested copy of said Warrant in at least two places in said Monson fourteen days at least before the time appointed for holding the meeting aforesaid.

A true copy,
ATTEST:

Constable of Monson

Town Clerk

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